

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

WINIFRED BLACKLEDGE,

Plaintiff,

V.

Case No. 2:06cv321-ID - SJW

**ALABAMA DEPARTMENT OF MENTAL
HEALTH AND MENTAL
RETARDATION, and JOHN HOUSTON)**
in his official capacity as Commissioner,
Defendant.

**DEFENDANTS' OBJECTION TO PLAINTIFF'S SPECIAL INTERROGATORIES TO
THE JURY AND VERDICT FORM**

COMES NOW, the Defendants, Alabama Department of Mental Health & Mental Retardation and Commissioner John Houston, in his Official Capacity as Commissioner of the Alabama Department of Mental Health & Mental Retardation, by and through Deputy Attorney General, Courtney W. Tarver, and submit our objection to plaintiffs Special Interrogatories to the Jury and Verdict Form as follows:

1. The only Case for which compensation of damages can be awarded is the Title VII action for Ms. Blackledge's unsuccessful application for the Community Services Specialist III (CSS III) position. Judge Ira DeMent's Memorandum Opinion and Order dated October 25, 2007 dismissed and struck claims for damages regarding both Planning and Quality Assurance II (P & QA II) positions. Consequently, this interrogatory should instruct the jury to assess compensatory damages only if they have made a determination that the Plaintiff's race was a motivating factor in her failure to obtain the CSS III position.
2. Paragraphs 2 and 3 are improper, misleading and prejudicial and should be struck.

Respectfully submitted this, the 12th day of February, 2008.

TROY KING
ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **DEFENDANTS'OBJECTION TO PLAINTIFF'S SPECIAL INTERROGATORIES TO THE JURY AND VERDICT FORM** has been served by use of this court's electronic filing system, CM/ECF, which will provide service to the following on this the 12TH day of February, 2008:

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/s/: Courtney W. Tarver
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